

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GARDEN CITY BOXING CLUB,
INC., as Broadcast Licensee
of the June 8, 2002,
LEWIS/TYSON Program,

Plaintiff,

v.

PEDRO CORDOVA, Individually,
and d/b/a SONORA'S RESTAURANT
AND LOUNGE, and SONORA'S
RESTAURANT AND LOUNGE;
CAROLINA M. LOPEZ a/k/a/
CAROLINA MADRIGAL a/k/a/
CAROLINA M. PANIAGUA,
Individually, and as officer,
director, shareholder and/or
principal of COLIMA, INC.
d/b/a/ COLIMA MEXICAN
RESTAURANT & BAR a/k/a/
COLIMA RESTAURANT a/k/a/
COLIMA RESTAURANT AND LOUNGE,
and COLIMA, INC. D/b/a COLIMA
MEXICAN RESTAURANT & BAR
a/ka/a COLIMA RESTAURANT
a/k/a COLIMA RESTAURANT AND
LOUNGE

Defendants.

NO. CV-05-3022-EFS

**ORDER GRANTING MOTION FOR
DEFAULT JUDGMENT AND ENTERING
DEFAULT JUDGMENT**

Before the Court, without oral argument, is Plaintiff's Motion for
Default Judgment (Ct. Rec. 14) filed on September 30, 2005. After

1 considering the submitted materials, including Plaintiff's and counsel's
2 affidavits, and the records and files herein, the Court hereby finds:

3 1. A Clerk's Order of Default (Ct. Rec. 13) was entered against
4 Defendants Carolina M. Lopez, individually, and Colima, Inc. d/b/a Colima
5 Mexican Restaurant & Bar a/k/a Colima Restaurant and Lounge on September
6 19, 2005.

7 2. Plaintiff is entitled to a damages award and permanent
8 injunction against Defendants Carolina M. Lopez, individually, and
9 Colima, Inc. d/b/a Colima Mexican Restaurant & Bar a/k/a Colima
10 Restaurant and Lounge under 47 U.S.C. § 605(e)(3)(C) due to a wilful
11 violation of 47 U.S.C. § 605(a) for the purpose of direct or indirect
12 commercial advantage.

13 3. No just reason for delay of entry of final judgment against
14 Defendants Carolina M. Lopez, individually, and Colima, Inc. d/b/a Colima
15 Mexican Restaurant & Bar a/k/a Colima Restaurant and Lounge exists and,
16 therefore, the Court directs entry of final judgment as to Plaintiff's
17 claims against these Defendants pursuant to Federal Rule of Civil
18 Procedure 54(b).

19 Based upon the foregoing, **it is hereby, ORDERED, ADJUDGED AND**
20 **DECREED:**

21 1. Plaintiff's Motion for Default Judgment (Ct. Rec. 14) is
22 **GRANTED.**

23 2. Plaintiff is awarded judgment against **Defendants Carolina M.**
24 **Lopez and Colima, Inc. d/b/a Colima Mexican Restaurant & Bar a/k/a Colima**
25 **Restaurant and Lounge, jointly and severally:**
26

- 1 a. in the amount of **\$2,000** in just statutory damages under 47
2 U.S.C. § 605(e) (3) (C) (i) (II) for the violation of 47
3 U.S.C. § 605(a),
- 4 b. in the amount of **\$4,000** in just statutory damages under 47
5 U.S.C. § 605(e) (3) (C) (ii) for committing a wilful
6 violation of 47 U.S.C. § 605(a) for the purpose of direct
7 or indirect commercial advantage, and
- 8 c. in the amount of **\$2,105.00** for recovery of full costs,
9 including reasonable attorneys fees, under 47 U.S.C. §
10 605(e) (3) (B) (iii).

11 3. The Judgment shall **permanently enjoin and restrain** Defendants
12 Carolina M. Lopez, individually, and Colima, Inc. d/b/a Colima Mexican
13 Restaurant & Bar a/k/a Colima Restaurant and Lounge, any of their
14 servants, employees, agents, and persons acting in concert with them or
15 acting on their behalf, from engaging in the unauthorized reception and
16 interception, whether by air or cable, of Plaintiff's programming,
17 signals or services, or in aiding and abetting any such acts, and are
18 hereby permanently enjoined and restrained from connecting to, attaching,
19 splicing into, tampering with or in any way using Plaintiff's cable
20 wiring without Plaintiff's authorization, and are hereby permanently
21 enjoined and restrained from manufacturing, selling, purchasing,
22 obtaining, using, or possessing any device or equipment capable of
23 unscrambling, intercepting, receiving, decoding, transmitting, providing,
24 or making available all or part of Plaintiff's programming or services
25 without Plaintiff's express authorization.

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